

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FUND TEXAS CHOICE, et al.,

Plaintiffs,

v.

SUSAN R. DESKI, et al.,

Defendants.

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1:22-CV-859-RP

**ORDER**

Before the Court is Defendants Ashley Maxwell, Zach Maxwell, Mistie Sharp, Shannon D. Thomason, Sadie Weldon’s (the “SB 8 Defendants”) Motion to Exceed Page Limits, (Dkt. 370), and Combined Motion for Summary Judgment and Response to Plaintiffs’ Motion for Summary Judgment, (Dkt. 371). In their motion to exceed page limits, the SB 8 Defendants seek to file a brief of 73 pages that includes a response to Plaintiffs’ summary judgment motion as well as a cross-motion for summary judgment. (*Id.*).

Although excess pages are warranted, the Court’s electronic filing rules prohibit multiple pleadings in the same filing. *See* W.D. Tex. Admin. Policies & Procedures for Electronic Filing 12(e) (“Each filing must consist of only one pleading. Multiple pleadings (e.g., an answer and a motion to dismiss, or a notice of appeal and a motion for certificate of appealability) must be filed as separate documents.”). When a party submits a combined filing, the Court must strike the entry without prejudice to refiling. *See, e.g., Gaudette v. Angel Heart Hospice, LLC*, No. 1:23-CV-769-DII (W.D. Tex. filed July 7, 2023) (Order, Dkt. 29) (striking combined response and motion).

**IT IS THEREFORE ORDERED** that the SB 8 Defendants’ response and motion, (Dkt. 371), is **STRICKEN**.

**IT IS FURTHER ORDERED** that the SB 8 Defendants' motion to exceed page limits, (Dkt. 370), is **MOOT**.

The SB 8 Defendants shall refile their response to Plaintiffs' motion for summary judgment by **5:00 p.m. Central Time on June 3, 2024**. Any cross-motion for summary judgment must be submitted as a separate filing. The SB 8 Defendants' response and any cross motion for summary judgment shall not exceed 40 pages each.

**SIGNED** on May 29, 2024.

A handwritten signature in blue ink, appearing to read 'Robert Pitman', is written above a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE